

United States District Court
District of Massachusetts

_____)	
MAISHA EMMANNUEL,)	
)	
Plaintiff,)	
)	Civil Action No.
v.)	15-12914-NMG
)	
HANDY TECHNOLOGIES, INC.,)	
)	
Defendant.)	
_____)	

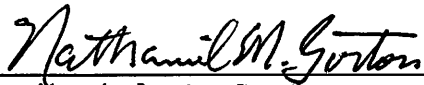
ORDER

Defendant Handy Technologies, Inc. has moved to compel arbitration of plaintiff Maisha Emmanuel's claims (Docket No. 8). The Court finds that plaintiff has raised a genuine issue of material fact as to whether she agreed to either version of the Professional Services Agreement/Independent Contractor Agreement and the arbitration clause contained therein. Accordingly, because the formation of the agreement to arbitrate is at issue, the parties are entitled to a trial on the issue. 9 U.S.C. § 4.

The Court will convene a status conference on Thursday, August 4, 2016 at 11:00 A.M. in Courtroom 4 to determine the scheduling of a bench trial, not to exceed one day, on the issue of arbitrability. The Court will also consider the need, if

any, for very limited pre-trial discovery. The parties are directed to submit, on or before Monday, August 1, 2016, a proposed schedule, joint or otherwise, addressing the timing of discovery and the bench trial.

So ordered.



Nathaniel M. Gorton
United States District Judge

Dated July 27, 2016